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*Proposed Co-Lead Counsel*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD S. BONDAR, as Trustee of the Bondar Family Trust Dated 4/1/91, Individually And On Behalf of All Others Similarly Situated,  Plaintiff,  v.  BANK OF AMERICA CORPORATION, BANC OF AMERICA INVESTMENT SERVICES, INC., and BANC OF AMERICA SECURITIES, LLC,  Defendants.	) Civil Action No. C 08-02599 JSW ) ) NOTICE OF MOTION OF HANOCH ) BEN-TAL, AS TRUSTEE FOR THE ) BENEFIT OF THE BENTAL FAMILY ) TRUST AND ARIC A. STREIT AND ) MARY STREIT AS TRUSTEES FOR ) THE BENEFIT OF THE STREIT ) LIVING TRUST, FOR ) CONSOLIDATION, APPOINTMENT ) AS CO-LEAD PLAINTIFFS AND ) APPROVAL OF CO-LEAD ) PLAINTIFFS' SELECTION OF CO- ) LEAD COUNSEL ) ) DATE: August 29, 2008 ) TIME: 9:00 a.m. ) CTRM: 17th Floor ) JUDGE: Hon. Jeffrey S. White
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NOTICE OF MOTION FOR CONSOLIDATION, APPOINTMENT AS CO-LEAD PLAINTIFFS  
AND APPROVAL OF CO-LEAD PLAINTIFFS' SELECTION OF CO-LEAD COUNSEL  
Case No. C 08-02599 JSW

PLEASE TAKE NOTICE that Hanoch Ben-Tal, as Trustee for the Ben-Tal Family Trust, and Aric A. Streit and Mary Streit, as Trustees for the Benefit of The Streit Living Trust (“Movants”), by their counsel, will hereby move this Court on a date and at such time as may be designated by the Court, at 450 Golden Gate Ave., San Francisco, California 94102, for an order: (i) consolidating the above-captioned action with any other related actions for all purposes pursuant to Fed. R. Civ. P. 42(a); (ii) appointing Hanoch Ben-Tal, as Trustee for the Ben-Tal Family Trust, and Aric A. Streit and Mary Streit as Trustees for the Benefit of The Streit Living Trust as Co-Lead Plaintiffs in the above-captioned action and any related actions alleging violations of the securities laws; (iii) approving Movants’ selection of the law firms of Milberg LLP (“Milberg”) and Law Offices of George A. Shohet, A Professional Corporation (“Shohet”) to serve as Co-Lead Counsel in the Securities Actions; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this Motion, Movants submit herewith a Memorandum of Law, a [Proposed] Order, and the Declaration of Jeff S. Westerman, dated July 21, 2008.

Dated: July 21, 2008

MILBERG LLP  
JEFF S. WESTERMAN

By: /s/ Jeff S. Westerman  
JEFF S. WESTERMAN

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*Counsel for Hanoch Ben-Tal as Trustee of the Ben-Tal Family Trust and Aric A. Streit and Mary Streit as Trustees for the benefit of the Streit Living Trust and Proposed Co-Lead Counsel for the Class*

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**DECLARATION OF SERVICE BY MAIL**

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, employed in the County of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is One California Plaza, 300 South Grand Avenue, Suite 3900, Los Angeles, California 90071-3149.

2. That on July 21, 2008, declarant served the NOTICE OF MOTION OF HANOCH BEN-TAL, AS TRUSTEE FOR THE BENEFIT OF THE BENTAL FAMILY TRUST AND ARIC A. STREIT AND MARY STREIT AS TRUSTEES FOR THE BENEFIT OF THE STREIT LIVING TRUST, FOR CONSOLIDATION, APPOINTMENT AS CO-LEAD PLAINTIFFS AND APPROVAL OF CO-LEAD PLAINTIFFS' SELECTION OF CO-LEAD COUNSEL by depositing a true copy thereof in a United States mailbox at Los Angeles, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

4. That on the above date, declarant served via e-mail to: [scac@law.stanford.edu](mailto:scac@law.stanford.edu).

I declare under penalty of perjury that the foregoing is true and correct. Executed this 21st day of July, 2008, at Los Angeles, California.



ANN MARIE GENOVESE

*Bank of America Corporation*  
**Service List**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD S. BONDAR, as Trustee of the	)	Civil Action No. C 08-02599 JSW
Bondar Family Trust Dated 4/1/91, Individually	)	
And On Behalf of All Others Similarly Situated,	)	[PROPOSED] ORDER
	)	CONSOLIDATING ACTIONS,
Plaintiff,	)	APPOINTING CO-LEAD PLAINTIFFS
	)	AND APPROVING LEAD
v.	)	PLAINTIFFS' SELECTION OF CO-
	)	LEAD COUNSEL
BANK OF AMERICA CORPORATION, BANC	)	
OF AMERICA INVESTMENT SERVICES,	)	DATE: August 29, 2008
INC., and BANC OF AMERICA SECURITIES,	)	TIME: 9:00 a.m.
LLC,	)	CTRM: 17th Floor
	)	JUDGE: Hon. Jeffrey S. White
Defendants.	)	

1 Upon consideration of the motions and supporting papers for consolidation, appointment  
 2 of co-lead plaintiffs and co-lead counsel in the above-captioned action and for good cause  
 3 shown,

4 IT IS HEREBY ORDERED THAT:

5 1. The Motion of Hanoch Ben-Tal, as Trustee for the Ben-Tal Family Trust, and  
 6 Aric A. Streit and Mary Streit as Trustees for the benefit of The Streit Living Trust is  
 7 GRANTED;

8 2. *Bondar v. Bank of American Corporation, et. al.*, Civil Action C 08-02599-JSW  
 9 is hereby ordered to be consolidated for all purposes pursuant with any related actions  
 10 subsequently filed in or transferred to this District pursuant to Fed. R. Civ. P. 42(a), under the  
 11 caption *In re Bank of America Securities Litigation*, Master File No. \_\_\_\_\_;

12 3. Hanoch Ben-Tal, as Trustee for the Ben-Tal Family Trust, and Aric A. Streit and  
 13 Mary Streit, as Trustees for the benefit of The Streit Living Trust, are hereby APPOINTED to  
 14 serve as Co-Lead Plaintiffs in the above-referenced action alleging violations of the securities  
 15 laws, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 ("Exchange  
 16 Act"), 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act  
 17 of 1995.

18 4. The law firms of Milberg LLP ("Milberg") and Law Offices of George A. Shohet,  
 19 A Professional Corporation ("Shohet") are hereby APPOINTED to serve as Co-Lead Counsel for  
 20 the Class in the Securities Actions, pursuant to Section 21D(a)(3)(B) of the Exchange Act, 15  
 21 U.S.C. § 78u-4(a)(3)(B), as amended by Section 101(a) of the Private Securities Litigation  
 22 Reform Act of 1995, in the above-captioned action.

23 SO ORDERED.

24 DATED: \_\_\_\_\_, 2008

25 \_\_\_\_\_  
 26 HON. JEFFREY S. WHITE  
 27 UNITED STATES DISTRICT JUDGE



**DECLARATION OF SERVICE BY MAIL**

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, employed in the County of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is One California Plaza, 300 South Grand Avenue, Suite 3900, Los Angeles, California 90071-3149.

2. That on July 21, 2008, declarant served the [PROPOSED] ORDER CONSOLIDATING ACTIONS, APPOINTING CO-LEAD PLAINTIFFS AND APPROVING LEAD PLAINTIFFS' SELECTION OF CO-LEAD COUNSEL by depositing a true copy thereof in a United States mailbox at Los Angeles, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

4. That on the above date, declarant served via e-mail to: scac@law.stanford.edu.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 21st day of July, 2008, at Los Angeles, California.

  
ANN MARIE GENOVESE

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